

Message Text

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45

ACTION AF-18

INFO OCT-01 NEA-11 ISO-00 SY-10 SS-20 NSC-10 A-01 CPR-02

SCS-03 SCA-01 L-03 CIAE-00 INR-10 NSAE-00 RSC-01

DRC-01 /092 W

----- 014140

R 310929Z JAN 74

FM AMEMBASSY MOGADISCIO

TO SECSTATE WASHDC 1579

INFO AMEMBASSY ADDIS ABABA

72?3/AMEMBASSY BEIRUT 593

LIMITED OFFICIAL USE MOGADISCIO 0138

ADDIS FOR RSO

BEIRUT FOR RMO AND RSS

E.O. 11652: N/A

TAGS: CASC

SUBJ: SOMALI DENTENTION OF US MARINES

REF: MOGADISCIO 0086

1. I RAISED QUESTION OF MARINE CASE WITH ACTING FONMIN ABDU-
RAHMAN JANUARY 29, RECALLING OUR POSITION ON IMMUNITY AND URGING
THAT MATTER BE CLEARED UP PROMPTLY. ABDURAHMAN SAID HE HAD
REQUEST COURT NOT TO REQUIRE APPEARANCE OF MARINES AT HEARING.
COURT HAD TAKEN POSITION THAT, AS MARINES NOT ON DIPLOMATIC
LIST, THEY NOT ENTITLED TO IMMUNITY. ABDURAHMAN TOLD ME THAT,
BEARING IN MIND HIS DESIRE TO CONTRIBUTE TO SUCCESS OF MY
MISSION AT THIS EARLY STAGE IN MY STAY, HE INTENDED TO SPEAK
WITH COURT ONCE AGAIN TO URGE THEM TO REFRAIN FROM SUMMONING
MARINES.

2. ON SAME DAY WE LEARNED FROM LAWYER CENCI THAT COURT HAS
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SCHEDULED TRIAL FOR TUESDAY, FEB. 5. COURT SUMMONS FOR MARINES

APPEARANCE IN COURT AT 8 A.M. THAT DAY DELIVERED TO EMBASSY
ON MORNING JAN. 31.

3. I TOLD ABDURAHMAN JANUARY 31 (BEFORE RECEIPT ACTUAL SUMMONS)
THAT WE UNDERSTOOD COURT HAD SCHEDULED CASE FOR FEB. 5 AND URGED
HIM TO RESOLVE MATTER BEFORE THAT DATE.

4. COMMENT: WE HAVE SENT NOTE TO MOFA ENCLOSING COURT SUMMONS
AND REFERRING TO OUR NOTE OF JAN. 7. INTEND TO AWAIT OUTCOME
OF ABDURAHMAN'S SECOND DEMARCHE BEFORE OFFERING ANY WAIVER OF
IMMUNITY.
KIRK

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NNN

Message Attributes

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